

relating to the State Board of Health and the State Health Department; providing for the State Board of Health to be composed of seven licensed physicians, which board shall have power to appoint the State Health Officer; prescribing the salary of the State Health Officer and the respective authority of the State Health Officer and the State Board of Health; prescribing the compensation of the members of the State Board of Health, the State Health Officer and the heads of bureaus in the State Health Department; enacting provisions to improve the State Health Department; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed but be printed in the Journal.

CLARK, Chairman.

Committee Room.

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 62, A bill to be entitled "An Act authorizing cities having more than five thousand inhabitants to specially illuminate districts thereof, and to construct, install, equip and maintain a system of artificial lights as a local public improvement; providing for abutting property owners desiring such public improvement to petition for same or that same may be done by the governing authorities of the city without such petition; providing for the cost of such local public improvement to be paid by the abutting property owners by assessment in an amount not to exceed the benefits received by the property; providing for a lien against the property and a personal claim against the owner and the issuance of assignable certificates, payable in installments with interest, against the property owner for the amount of the assessment; providing for the letting of the contract for such public improvement by the city and providing for a hearing for the property owners to be heard and make objection; providing for the enforcement of the assessment by suit against the property owners; provid-

ing for suit by property owner to attack the validity of the proceedings hereunder; providing for the system after being completed becoming the property of the city to be maintained and kept up at its expense; and providing for an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RIDGEWAY, Chairman.

Committee Room.

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 52, A bill to be entitled "An Act amending Acts of the Thirty-seventh Legislature, First Called Session, Chapter 13, and providing for the re-organization of the Seventy-second Judicial District of Texas, fixing the times and terms of the district courts in the several counties thereof, and naming them; providing that process issued bonds and recognizances made and grand and petit juries drawn, before this Act takes effect, shall be valid and returnable to all the terms as herein set forth; attaching the unorganized county of Cochran to Hockley County for judicial and all other purposes; fixing the time of taking effect of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and, it being a local bill, that it be not printed.

POLLARD, Chairman.

THIRTEENTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, May 3, 1923.

The Senate met at 9:40 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Ridgeway.
Baugh.	Parr.
Bledsoe.	Pollard.
Burkett.	Rice.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Bowers.	Lewis.
Doyle.	Witt.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senators Doyle, Bowers, Lewis, and Witt for today, on account of important business, on motion of Senator Baugh.

S. B. No. 30—Vote Reconsidered.

Senator Floyd moved to reconsider the vote by which S. B. No. 30 failed on yesterday to pass to engrossment.

Senator Wood moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—11.

Baugh.	Stuart.
Bledsoe.	Thomas.
Burkett.	Turner.
Cousins.	Wood.
Rice.	Woods.
Ridgeway.	

Nays—13.

Bailey.	Murphy.
Clark.	Parr.
Darwin.	Pollard.
Davis.	Rogers.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	

Present—Not Voting.

McMillin.	Strong.
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Absent—Excused.

Bowers.	Lewis.
Doyle.	Witt.

Question then recurring on the motion to reconsider, yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—13.

Bailey.	Murphy.
Clark.	Parr.
Darwin.	Pollard.
Davis.	Rogers.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	

Nays—10.

Baugh.	Stuart.
Bledsoe.	Thomas.
Burkett.	Turner.
Rice.	Wood.
Ridgeway.	Woods.

Present—Not Voting.

Cousins.	Strong.
McMillin.	

Absent—Excused.

Bowers.	Lewis.
Doyle.	Witt.

* On motion of Senator Fairchild, the bill was laid on the table subject to call.

H. B. No. 4 on Second Reading.

The Chair laid before the Senate as special order, on its second reading.

H. B. No. 4, A bill to be entitled. "An Act to amend Chapter 2 of Title 98, Revised Civil Statutes of Texas, 1911, by adding thereto Article 6057a, providing that, in addition to other methods provided in said chapter for the removal of officers, they may be removed by quo warranto proceedings brought by the Attorney General upon direction of the Governor; making the provisions of said chapter applicable to proceedings hereunder except where in conflict; providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049 of such statutes; providing that the suspended officer shall receive the salary, compensation or

fees until final judgment removing him, and that such salary, fees or compensation, collected by the temporary officer shall be paid to the suspended officer, and that during appeal from a judgment removing an officer, such salaries, fees and compensation shall not be received by him unless he give a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary or compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdiction and venue of such suits; providing that such officer may not be removed under this Act for failure to enforce misdemeanor statutes, excepting laws pertaining to gambling or prostitution, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time.

Senator Woods moved to adopt the minority committee report which recommended that the bill do pass.

Senator Bailey moved the previous question on the motion and the main question was ordered.

Question: Shall the minority favorable report be adopted?

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—9.

Baugh.	Rogers.
Bledsoe.	Stuart.
Floyd.	Turner.
Pollard.	Woods.
Ridgeway.	

Nay—11.

Bailey.	Holbrook.
Clark.	Murphy.
Cousins.	Rice.
Darwin.	Watts.
Davis.	Wirtz.
Fairchild.	

Present—Not Voting.

Strong. Thomas.

(Pairs Recorded.)

Senator Wood (present), who would vote yea; with Senator Doyle (absent), who would vote nay.

Senator Burkett (present), who would vote nay; with Senator Witt (absent), who would vote yea.

Senator McMillin (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Parr (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Bailey moved to reconsider the vote by which the minority report was lost and to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—11.

Bailey.	Holbrook.
Clark.	Murphy.
Cousins.	Rice.
Darwin.	Watts.
Davis.	Wirtz.
Fairchild.	

Nays—9.

Baugh.	Rogers.
Bledsoe.	Stuart.
Floyd.	Turner.
Pollard.	Woods.
Ridgeway.	

Present—Not Voting.

Strong. Thomas.

(Pairs Recorded.)

Senator Parr (present), who would vote yea; with Senator Bowers (absent), who would vote nay.

Senator Burkett (present), who would vote yea; with Senator Witt (absent), who would vote nay.

Senator Wood (present), who would vote nay; with Senator Doyle (absent), who would vote yea.

Senator McMillin (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Adjournment.

On motion of Senator Murphy, the Senate at 10:05 p. m. adjourned until 9:30 o'clock a. m. tomorrow.

FOURTEENTH DAY.

Senate Chamber,
Austin, Texas.
Friday, May 4, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.